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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/929,063 | 08/15/2001 | Tadayuki Kameyama | 020527 | 8898 |
| 38834 | 7590 | 02/25/2005 | EXAMINER | |
| WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036 | | | KENNEDY, JENNIFER M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2812 | |

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--|--|--|
| Office Action Summary | Application No. 09/929,063 | Applicant(s) KAMEYAMA ET AL. | |
| | Examiner Jennifer M. Kennedy | Art Unit 2812 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 19, 21-23, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 15, 16 and 21-23 is/are allowed.
- 6) ☒ Claim(s) 10-12, 14, 19, 25-26 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 25 and 26 are objected to because of the following informalities: Claims 25 and 26 depend from claim 24, which is canceled. Appropriate correction is required. It appears applicants intended for claims 25 and 26 to be dependent on claim 10, and examination has been made accordingly.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12, 14, 19, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikura et al. (U.S. Patent No. 5,880,800).

In re claim 10, Mikura et al. disclose polarizing film (21), an adhesive layer, and a polymer material-containing layer which is a separator (4) having a polymer material migration prevention layer provided thereon wherein the polymer material migration preventing layer is provided on the side of the separator that faces the adhesive layer (see column 11, lines 40-45).

Mikura et al. does not disclose that the method is used for a absorption type polarizing film. The examiner takes official notice of facts outside the record which are

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capable of instant and unquestionable demonstration as being "well-known" in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made utilize the method with a absorption type polarizing film since absorption type polarizing films are well known in the art and because the method of Mikura et al. would be applicable in absorption type polarizing films as well, to allow for release of the separator layer.

In re claims 12 and 14, Mikura et al also discloses the method wherein the migration prevention layer is a silica film and is a silicone agent (see column 11, lines 40-45).

In re claims 19 and 25-26, Mikura et al. also disclose the method wherein the polymer material-containing layer is disposed directly on the migration preventing layer,

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mikura et al. (U.S. Patent No. 5,880,800) in view of Kim et al. (U.S. Patent No. 6,153,272).

Mikura et al. discloses the polarizer substantially as claimed and rejected above, but does not disclose that the polymer layer is purified. Kim et al. discloses the method of forming a purified polymer layer (see column 8, lines 54-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the polymer layer of Asano of a purified polymer of Kim et al. in order to create a highly stable liquid crystal cell (see Kim et al. column 2, lines 13-32).

Allowable Subject Matter

Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-9, 15, 16, and 21-23 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer M. Kennedy whose telephone number is (571) 272-1672. The examiner can normally be reached on Mon.-Fri. 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael S. Lebentritt can be reached on (571) 272-1873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer M. Kennedy
Patent Examiner
Art Unit 2812

jmk